

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CAREFUL SHOPPER, LLC,

Plaintiff,

-against-

TP-LINK USA CORPORATION d/b/a TP-
LINK NORTH AMERICA, INC.,

Defendants.

1:18-cv-03019-RJD-RML

**SUPPLEMENTAL DECLARATION OF KEVIN RYU IN SUPPORT OF DEFENDANT
TP-LINK USA CORPORATION'S MOTION TO DISMISS FOR LACK OF PERSONAL
JURISDICTION AND SUBJECT MATTER JURISDICTION**

SUPPLEMENTAL DECLARATION OF KEVIN RYU

I, Kevin Ryu, hereby declare as follows:

1. I am the Director of Sales and Marketing, E-commerce, for TP-Link USA Corporation (“TP-Link”) in Brea, California. I have been employed with TP-Link since mid-2015. I submit this supplemental declaration in support of Defendant TP-Link’s Motion to Dismiss for Lack of Personal Jurisdiction and Subject Matter Jurisdiction. I have personal knowledge of the matters stated in this Supplemental Declaration and, if called as a witness, I could and would competently testify to them.

2. TP-Link does not provide Amazzia with either a “test buy” or photos for Amazzia to report complaints.

3. As the Amazzia contract with TP-Link shows, Amazzia monitors certain TP-Link products based on the Amazon Standard Identification Number (“ASIN”), including the following ASINs: (1) B00PDLRHFW; (2) B0168G0KZY; and (3) B010S6SG3S. Attached hereto as **Exhibit A** is a true and correct of TP-Link’s contract with Amazzia.

4. The Amazzia contract also details that when Amazzia identifies unauthorized resellers using the ASINs, it sends a complaint to Amazon. To clarify the statement in my January 11, 2019 Declaration, as the contract shows, Amazzia requires TP-Link provide it with an email account using an email address in the format “compliance@brandname.com” (in this case compliance-usa@tp-link.com, which also reflects as “Compliance USA”).

5. TP-Link requested from Amazzia any specific complaints to Amazon about Careful Shopper, but Amazzia has refused to provide any of the requested correspondence.

6. TP-Link North America Inc. is a fictitious business name of TP-Link USA Corporation. Attached hereto as **Exhibit B** are true and correct copies of the Fictitious Business Name Statement filed by TP-Link USA Corporation on March 7, 2017, with the Recorder’s Office of San Bernardino County, California, and Fictitious Business Name Statement filed on February 28, 2017, with the Recorder’s Office of Orange County, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 25, 2019

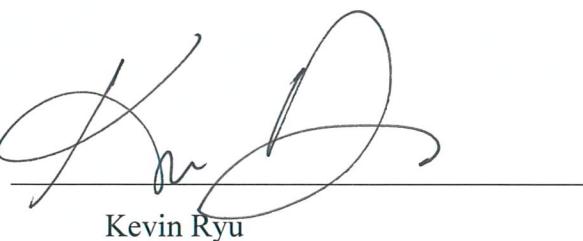
By: 
Kevin Ryu

Exhibit A

to Supplemental Ryu Declaration



AMAZZIA
7040 Darby Avenue
Reseda, CA 91335

TP-Link - Amazon Brand Protection Agreement

Terms:

- Month to month basis
- Amazon clean up and monitoring executed for [REDACTED]
- 31 skus/ASINs under the brand to be monitored (Details Below)

5 New ASINs added:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

26 Existing ASINs (already being monitored):

- | | |
|--------------|--------------|
| • [REDACTED] | • [REDACTED] |
| • B00PDLRMFW | • [REDACTED] |
| • B010S6SG3S | • [REDACTED] |
| • [REDACTED] | • [REDACTED] |
| • [REDACTED] | • [REDACTED] |
| • B0168GUKZY | • [REDACTED] |
| • [REDACTED] | • [REDACTED] |



AMAZZIA
7040 Darby Avenue
Reseda, CA 91335

Services:

- We will monitor all ASIN pages daily, 7 days/week
- We will report non-compliant sellers to Amazon until they are removed by Amazon
- 50% of resellers to be removed in 60 days, 75% in 90 days, and 90% in 120 days.
- You will have full access to our team for any questions regarding the cleanup project

I agree to the points above, and the outlined timeline, and would like to proceed with the Brand Protection Program:

Signed 刘永吉

Company _____

Today's Date 4/17/2018



AMAZZIA
7040 Darby Avenue
Reseda, CA 91335

TP-Link Brand Protection Proposal

Term Agreements:

- Month to month basis
- Amazon clean up and monitoring executed for \$ [REDACTED]

SKU	Description	ASIN
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

- All three skus under the TP-Link brand to be monitored.

Our Services:

- We will monitor all ASIN pages daily, 7 days/week
- We will report non-compliant sellers to Amazon until they are removed by Amazon
- 50% of resellers to be removed in 60 days, 75% in 90 days, and 90% in 120 days.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Things We Need:

- Dedicated computer on your network we can remote login with TeamViewer o <http://www.teamviewer.com/en/> - Free program we use to remote into your computer
- Dedicated email on your domain for Amazon enforcement (i.e. compliance@brandname.com)
- Amazon.com buying account created using dedicate email

The Brand Protection will begin the following day after all necessary items needed for Amazzia to execute are in place



AMAZZIA
7040 Darby Avenue
Reseda, CA 91335

I agree to the points above, and the outlined timeline, and would like to proceed with the Brand Protection Program:

Signed _____

Company _____

Date _____

Exhibit B

to Supplemental Ryu Declaration

Filed in County Clerk's Office, County of San Bernardino

3/07/2017

8:38 AM



San Bernardino County
 Recorder - Clerk
 222 W. Hospitality Lane, 1st Floor
 San Bernardino CA 92415-0022
 855 REC-CLRK
www.sbccounty.gov/arc

BOB DUTTON
ASSESSOR - RECORDER - CLERK

TM
SAN

Doc#: 20170002531

DocType: FBN

Pages: 2

Fees: \$55.00



EcgID - 243982

**BUSINESS OWNER IS RESPONSIBLE TO
 DETERMINE IF PUBLICATION IS REQUIRED
 (BPC 17917)**

FICTITIOUS BUSINESS NAME STATEMENT

NEW FILING - this is a: First Filing New Amended Filing Renewal

Date of

Current Filing

File No.

ABANDONMENT: County of Current Filing _____

Fees: \$55.00 Includes one registrant (please make check payable to "County Clerk")
 \$10.00 Each additional FBN name filed on same statement and operating at same location

\$10.00 Each additional registrant
 \$ 4.00 Mail processing fee

Please TYPE or PRINT legibly and firmly in DARK ink (no alterations). See reverse side for filing and publishing instructions. The determination whether or not publication is required by law is ENTIRELY THE RESPONSIBILITY OF THE REGISTRANT. Neither the County Clerk nor his deputies are permitted by law to give legal advice and/or assistance. THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:

1	LIST FICTITIOUS BUSINESS NAME BELOW (as shown in the Articles of Inc./Org./Reg.) TP-Link North America, Inc.	Franchise No. (if applicable)	County of Principal Place of Business San Bernardino	
2	Street Address of Principal Place of Business (P.O. Box or PMB address NOT acceptable) 10725 Sierra Avenue, Suite 100	City Fontana	State CA	Zip Code 92337
	Mailing Address (Optional)	City	State	Zip Code
	(1) Name of Individual Registrant (First name)	(Middle initial only)	(Last name)	
	(1) Name of corporation or limited liability company as shown in the Articles of Inc./Org./Reg. TP-Link USA Corporation		State of Inc./Org. / Reg.	Inc./Org./Reg. No. C3165179
3	Residence Street Address/Corporation or LLC Street Address 145 South State College Boulevard, Suite 400	City Brea	State CA	Zip Code 92821
	(2) Name of Individual Registrant (First name)	(Middle initial only)	(Last name)	
	(2) Name of corporation or limited liability company as shown in the Articles of Inc./Org./Reg.		State of Inc./Org. / Reg.	Inc./Org./Reg. No.
	Residence Street Address/Corporation or LLC Street Address	City	State	Zip Code

List any additional names on additional form

(CHECK ONE ONLY) This business is/was conducted by:

4	<input type="checkbox"/> An Individual <input type="checkbox"/> A General Partnership <input type="checkbox"/> A Limited Partnership <input type="checkbox"/> A Limited Liability Company	<input type="checkbox"/> A Limited Liability Partnership <input type="checkbox"/> An Unincorporated Assoc. Other Than a Partnership <input checked="" type="checkbox"/> A Corporation <input type="checkbox"/> Copartners	<input type="checkbox"/> A Married Couple <input type="checkbox"/> State or Local Registered Domestic Partners <input type="checkbox"/> A Joint Venture <input type="checkbox"/> A Trust
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5 Registrant commenced to transact business under the fictitious business name or names listed above on (do not enter a future date). Not Applicable
 (If registrant has not yet commenced to transact business, insert the statement "Not applicable").
 Month, Day, Year

6 **BY SIGNING, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.** A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.) I am also aware that all information on this statement becomes Public Record upon filing pursuant to the California Public Records Act (Government Code Sections 6250-6277). It is also my responsibility to determine if publication is required (BPC 17917).

Signature:

Printed Name of
 Person Signing: **Zheng Wu**

Printed Title of
 Person Signing: **CEO**

Date: 14 February 2017

NOTICE--IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17920, A FICTITIOUS NAME STATEMENT GENERALLY EXPIRES AT THE END OF FIVE YEARS FROM THE DATE ON WHICH IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF SECTION 17920, WHERE IT EXPIRES 40 DAYS AFTER ANY CHANGE IN THE FACTS SET FORTH IN THE STATEMENT PURSUANT TO SECTION 17913 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF A REGISTERED OWNER. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THE EXPIRATION. THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE).

MAR 07 2017

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder**20176468059 23.00**

02/28/2017 12:36:00

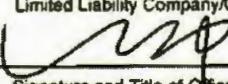
323 13 F01

23.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00



HUGH NGUYEN
CLERK-RECORDER
12 CIVIC CENTER PLAZA, ROOM 106
POST OFFICE BOX 238
SANTA ANA, CA 92702-0238

FICTITIOUS BUSINESS NAME STATEMENT**THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:**

1.	Fictitious Business Name(s) TP-Link North America, Inc.			(optional) Business Phone No.				
1A	<input checked="" type="checkbox"/> New Statement	<input type="checkbox"/> Refile - list previous No.	<input type="checkbox"/> Change					
2.	Street Address, City & State of Principal place of Business (Do not use P.O. box or P.M.B.) 145 South State College Boulevard, Suite 400 Brea, CA 92821 ORANGE		City	State	Zip Code	County		
3.	Full name of Registered Owner (If Corporation, enter corporation name) TP-Link USA Corporation				If Corporation / LLC State of Incorporation or organization Ca			
	Res. / Corp. Address (Do NOT use a P.O. Box or P.M.B.) 145 South State College Boulevard, Suite 400				City	State	Zip Code	
					Brea	Ca	92821	
4.	(CHECK ONE ONLY) This business is conducted by: <input type="checkbox"/> an individual <input type="checkbox"/> a general partnership <input type="checkbox"/> a limited partnership <input type="checkbox"/> an unincorporated association other than a partnership <input checked="" type="checkbox"/> a corporation <input type="checkbox"/> a Limited Liability Partnership <input type="checkbox"/> co-partners <input type="checkbox"/> a married couple <input type="checkbox"/> a joint venture <input type="checkbox"/> Limited Liability Co.							
5.	Have you started doing business yet? <input type="checkbox"/> Yes Insert Date: <input checked="" type="checkbox"/> No	Notice: This Fictitious Business Name Statement expires five years from the date it was filed in the Office of the County Clerk-Recorder. The statement expires 40 days after any change in the facts is made other than a change in the residences address of the registered owner. A new Fictitious Business Name Statement must be filed before either expiration. When ceasing to transact business under an active Fictitious Business Name Statement, Abandonment shall be filed. The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under federal, state or common law (see section 14411 et seq., Business and Professions Code).						
6.	If the registered owner is NOT a corporation, sign below: (See Instructions on the reverse side of this form)			If the registered owner is: a corporation, an officer of the corporation signs below. any type of partnership, the general partner signs below. a limited liability company, a manager or an officer signs below TP-Link USA Corporation				
	Signature: _____ <small>(Type or Print Name)</small>			Limited Liability Company/Corporation/Partnership Name  2/16/2017 <small>Signature and Title of Officer/Manager or General Partner</small>				
	I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).)			I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).)				
				Zheng Wu	CEO			
				Print Name of Officer/Manager or General Partner				

These fees apply at time of filing (Please provide a self-addressed, stamped, return envelope if mailed):

Filing fee \$23.00 for one business name

\$7.00 for each additional business name

\$7.00 for each additional partner after first two

THIS IS A TRUE CERTIFIED COPY OF THE
RECORD IF IT BEARS THE SEAL,
IMPRINTED IN PURPLE, OF THE ORANGE
COUNTY CLERK-RECORDER

Hugh Nguyen, Clerk-Recorder



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